



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

January 21, 2010

Ms. Suzanne B. Herron, P.E., CPESC
Director
Environmental Division
Tennessee Department of Transportation
505 Deaderick Street, Suite 900
Nashville, TN 37243

**SUBJECT: Shelby Avenue/Demonbreun Street (Gateway Boulevard) Corridor,
Nashville, Davidson County, Tennessee**

Dear Ms. Herron,

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced Final Supplemental Environmental Impact Statement (SEIS) in accordance with its responsibilities under Section 309 of the Clean Air Act and Section 102(2) (C) of the National Environmental Policy Act (NEPA). The U.S. Department of Transportation, Federal Highway Administration, Tennessee Department of Transportation, and Metropolitan Government of Nashville and Davidson County (Metro) proposes to construct an urban boulevard in the southern portion of Downtown Nashville. The new boulevard would extend the existing western terminus of Korean Veterans Boulevard (formally known as Gateway Boulevard) at 4th Avenue westward to 8th Avenue for a distance of about .31 mile.

The current action was evaluated as an Environmental Impact Statement (EIS) for the Shelby Avenue/Demonbreun Street Corridor. A Record of Decision (ROD) was issued in 1998 for the selected alternative for the corridor. Subsequent to the issuing of the ROD, several sections of the Shelby Avenue/Demonbreun Street Corridor (now referred to as Gateway Boulevard Corridor) have been constructed. Metro is now preparing a supplement to the approved EIS and ROD to address the portion of the ROD's Selected Alternative that has not been constructed and to evaluate the remainder of the project in light of the extensive land use changes that have begun to occur in the project area since the ROD was issued.

The alternatives considered include one No Build Alternative and One Build Alternative with two possible terminus options (Terminus Option 1: Roundabout and Terminus Option 2: Four-Leg Signalized Intersection). Under the No-Build Alternative, the Gateway Boulevard would not be completed west of 4th Avenue. Korean Veterans Boulevard, 4th Avenue and Franklin Street would not be re-aligned. No improvements would be made to existing intersections along Franklin and Shirley Streets.

Terminus Option 1: Roundabout Alternative would bring the approaches Gateway Boulevard, 8th Avenue and Lafayette Avenue together into a roundabout. The Roundabout option was suggested by members of the public during public meetings for the Draft SEIS. The second build alternative, Terminus Option 2: Four-Leg Signalized Intersection Alternative aligns Gateway Boulevard with the southern leg of 8th Avenue and Lafayette Street with the northern leg of 8th Avenue. A signal would initiate movement from northbound Lafayette Street to southbound 8th Avenue. Under both build alternatives, several streets would be permanently closed (Shirley Street between 6th and 8th Avenues, 7th Avenue between Demonbreun and Lafayette Streets and Lea Street between 7th and 8th Avenues). Both build alternatives, would require the installation of traffic signals at the new intersections of Gateway Boulevard with 5th and 6th Avenues. Both build alternatives would continue Korean War Veterans Boulevard east of 4th Avenue into Gateway Boulevard (between 4th and 8th Avenues). The preferred alternative is the Build Alternative Terminus Option 1: Roundabout.

EPA appreciates FHWA and TDOT's response to our Draft SEIS comments, however, EPA remains concerned with the lack of analysis for mobile source air toxics (MSATs). The discussion of mobile source air toxics (MSATs) in the Final EIS and in the air quality technical report presents information that does not coincide with the findings of many air quality studies. In general, air toxics impacts for highway projects should be evaluated based on emissions, dispersion modeling, and screening level risk assessment in locations where people work and reside. EPA recognizes that FHWA has recently developed interim guidance (*Interim Guidance Update on Air Toxic Analysis in NEPA Documents, September 30, 2009*), but continues to disagree with FHWA and TDOT's assertion that reliable methods do not exist to estimate the health effects of MSATs at a project level. EPA is committed to continuing the dialogue regarding MSATs issue and remains optimistic that resolution can be accomplished.

We appreciate the opportunity to review the proposed action. Please contact Jamie Higgins at (404) 562-9681 if you want to discuss our comments.

Sincerely,



Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management

Enclosures

cc: Tom Love – Tennessee Department of Transportation